



CRL OP(MD). No.10772 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 23.07.2024

CORAM

THE HON'BLE MR.JUSTICE B.PUGALENDHI

CRL OP(MD). No.10772 of 2024

S.Boominathan

... Petitioner

Vs

1. The Inspector of Police,
Thiruppalaikudi Police Station,
Thiruvadanai Taluk,
Ramanathapuram District.

2. D.Balan,

3. S.Saravanan,

4. P.Rajadurai

... Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the 3rd respondent to comply the order passed by the learned Judicial Magistrate Court, Thiruvadanai in Cr.M.P.No.682 of 2024 dated 16.02.2024 within the period as stipulated by this Court.



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For Petitioner : Mr.Atham Ali.S,
For R-1 : Mr.P.Kottai Chamy
Government Advocate (Crl. Side)

ORDER

This Criminal Original Petition has been filed as against the 3rd respondent to comply the order passed by the learned Judicial Magistrate, Thiruvadanai in Cr.M.P.No.682 of 2024 dated 16.02.2024.

2. The learned Government Advocate (Crl. Side) on instruction from the respondent police submits that the learned Judicial Magistrate Court, Thiruvadanai, has referred the complaint to the respondent police under Section 156(3) of Cr.P.C. However, the complaint appears to be of civil nature and therefore, the respondent police has made a request to the learned Judicial Magistrate, Thiruvadanai, for extension of time. Now, the respondent police has filed a report before the learned Judicial Magistrate that the complaint is of civil nature.

3. This Court is not inclined to accept the stand taken by the



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respondent police. It appears that the respondent police is conducting the enquiry for a period of four months, even after the direction issued by the learned Judicial Magistrate under Section 156(3) Cr.P.C. This would expose the manner in which the investigation is conducted and the conduct of the officer who is conducting the investigation.

4. Therefore, this Criminal Original Petition is closed with a direction to the Deputy Superintendent of Police, Thiruvadanai, Ramanathapuram District to look into the issue and to ensure that a proper enquiry has been conducted in the petitioner's complaint within a period of two weeks from the date of receipt of a copy of this order.

23.07.2024

NCC : Yes/No

Index : Yes/No

Internet: Yes

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To

1. The Inspector of Police,
Thiruppalaikudi Police Station,
Thiruvadanai Taluk,
Ramanathapuram District.

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B.PUGALENDHI,J

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2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

3. The Deputy Superintendent of Police,
Thiruvadanai,
Ramanathapuram District.

Order made in
Crl.O.P.(MD)No.10772 of 2024

23.07.2024